## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

26%	AMUSE ELECTION
ANDREA HOLIFIELD,	
Plaintiff,	
<b>v.</b>	) CASE NO.: 3:06CV 482-8
ELI LILLY AND COMPANY et al.,	) )
	)
Defendants.	) )

## DEFENDANT ELI LILLY AND COMPANY'S MOTION TO STAY ALL PROCEEDINGS PENDING TRANSFER DECISION BY THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

For the reasons set forth in Defendant Eli Lilly and Company's ("Lilly") Memorandum in Support of Its Motion to Stay, Lilly, by its counsel, respectfully moves this Court to enter an Order staying all pretrial activity in this case, including any motion to remand, the period for initial disclosures pursuant to Rule 26 of the Federal Rules of Civil Procedure, and all other discovery and pretrial deadlines, pending transfer of this case to the MDL proceeding that has been established in the Eastern District of New York.

Respectfully,

James C. Barton, Jr.

Bar Number: ASB-0237-B51J Email: jbartonjr@jbpp.com

Alan D. Mathis

Bar Number: ASB-8922-A59M

Email: adm@jbpp.com

Attorneys for defendant Eli Lilly and Company

## JOHNSTON BARTON PROCTOR & POWELL LLP

2900 AmSouth/Harbert Plaza 1901 Sixth Avenue North Birmingham, Alabama 35203 Telephone: (205) 458-9400

Facsimile: (205) 458-9500

**OF COUNSEL** 

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by first class mail, postage prepaid, on this 26 day of May 2006 upon the following:

Joseph L. Tucker, Esq. JACKSON & TUCKER, P.C. Black Diamond Building 2229 First Avenue North Birmingham, Alabama 35203

David P. Matthews, Esq. ABRAHAM, WATKINS, NICHOLS SORRELS, MATTHEWS & FRIEND 800 Commerce Street Houston, Texas 77002

Peter Lusche, M.D. 3120 Frederick Road Opelika, Alabama 36801

AL D Matta

W0558761.DOC